

NOT TO BE PUBLISHED

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Yuba)

THE PEOPLE,

Plaintiff and Respondent,

v.

NOEL DANIEL UNBANKES,

Defendant and Appellant.

C060141

(Super. Ct. No. CRF080000355)

Defendant Noel Daniel Unbankes was arrested after law enforcement officers executed a search warrant at his home and found methamphetamine, various drug paraphernalia, plastic baggies, a digital scale, and a notebook containing names and amounts owed.

Defendant pled no contest to possession of methamphetamine for sale (Health & Saf. Code, § 11378) in exchange for dismissal of all remaining counts and a maximum potential sentence of two years in state prison. The court denied probation, sentenced defendant to two years in state prison (minus applicable presentence custody credits), and imposed specified fees and

finer, including a drug program fee and a laboratory analysis fee, and penalty assessments related thereto. Defendant filed a timely notice of appeal.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant.

Our review of the record discloses a minor error on the abstract of judgment. As we have repeatedly explained, all fines and fees must be set forth in the abstract of judgment. (*People v. High* (2004) 119 Cal.App.4th 1192, 1200.) Thus, the abstract must separately state the base amounts and penalty assessments upon the drug program fee and laboratory analysis fee. The abstract must be corrected to so reflect.

Having undertaken an examination of the entire record, we find no arguable error in favor of defendant.

DISPOSITION

The judgment is affirmed. The trial court is ordered to correct the abstract of judgment and forward a certified copy of the corrected abstract to the Department of Corrections and

Rehabilitation.

SIMS, Acting P. J.

We concur:

NICHOLSON, J.

CANTIL-SAKAUYE, J.